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## OLR Bill Analysis

### sSB 434

#### ***AN ACT CONCERNING THE DEPARTMENT OF ADMINISTRATIVE SERVICES AND E-GOVERNMENT, EXTENSIONS OF EXISTING CONTRACTS, A STATE AMERICANS WITH DISABILITIES ACT COORDINATOR ADVISORY COMMITTEE AND SETTLEMENTS BY THE CLAIMS COMMISSIONER.***

#### **SUMMARY:**

This bill makes several unrelated changes concerning government administration. It:

1. eliminates a requirement that the administrative fee associated with e-government services be deposited in the General Fund;
2. allows the Department of Administrative Services (DAS) commissioner to extend certain goods and services contracts without competitive bidding or quotations;
3. revises the charge and increases the size of the committee established to encourage employment by the state of people with disabilities; and
4. increases, from \$7,500 to \$20,000, the threshold under which the claims commissioner can administratively settle claims against the state.

Additionally, the bill eliminates the Committee on Career Entry and Mobility and repeals a statute that authorizes state agencies to enter into a hospital laundry services co-operative (§§ 3, 4, 9). Both of these are obsolete.

EFFECTIVE DATE: July 1, 2013, except that the provision concerning the administrative fee is effective upon passage

#### **§ 1 — E-GOVERNMENT ADMINISTRATIVE FEE**

The law allows the Office of Policy and Management secretary, regardless of other state laws, to authorize state agencies to contract with private and nonprofit entities to facilitate the public's electronic utilization of government programs and services. The entities are permitted to charge an administrative fee, as approved by the Finance Advisory Committee. The bill eliminates a requirement that this fee be deposited in the General Fund, thus allowing the entities to keep the fee.

## **§ 2 — GOODS AND SERVICES CONTRACT EXTENSIONS**

With certain exceptions, the law prohibits state agencies from extending contracts (1) for supplies, materials, equipment, or contractual services and (2) subject to competitive bidding requirements, without complying with those requirements. It requires agencies not using competitive bidding to solicit at least three competitive quotations in addition to the contractor's quotation. The bill specifies that this requirement does not apply to situations where the contractor is a sole source provider.

Additionally, the bill allows the DAS commissioner to extend, for up to one year and without competitive bids or quotations, a contract for supplies, materials, equipment, or contractual services if he certifies in writing that failing to extend the contract would compromise an agency's systems or operations continuity.

## **§ 5 — COMMITTEE TO ADVISE AMERICANS WITH DISABILITIES ACT (ADA) STATE COORDINATOR**

Current law establishes an eight-member committee to encourage employment by the state of people with disabilities. The committee must advise state agencies regarding adaptation of employment examinations and alternative hiring processes for, and reasonable accommodation of, such individuals. It must also review state agencies' (1) career mobility programs, (2) programs of accommodation and entry level training of people with disabilities, and (3) employment practices with respect to such individuals.

The bill eliminates the above requirements and instead requires that

the committee, upon the state ADA coordinator's request, advise him regarding (1) employment by the state of people with disabilities and (2) how the state can fulfill its other ADA obligations, including its obligations as a provider of public services and a place of accommodation.

Additionally, the bill (1) increases the committee's size by adding representatives from the Department of Construction Services and the Commission of Human Rights and Opportunities and (2) potentially further increases its size by allowing each represented entity to have more than one representative. The bill also requires that the ADA coordinator, rather than the DAS commissioner, (1) appoint committee members and (2) chair the committee (or appoint a designee to do so). The DAS commissioner currently serves as the state's ADA coordinator.

#### **§§ 6-8 — CLAIMS AGAINST THE STATE**

By law, claims against the state must be filed with the claims commissioner. Under current law, the commissioner must either (1) deny or dismiss the claim, (2) order a payment of up to \$7,500, (3) recommend to the legislature a payment that exceeds \$7,500, or (4) authorize the claimant to sue the state. A person filing a claim exceeding \$7,500 can request legislative review if the claims commissioner dismisses the claim or orders a payment of \$7,500 or less.

The bill increases each of these thresholds from \$7,500 to \$20,000. It thus (1) allows the commissioner to order a payment of up to \$20,000, (2) requires him to forward a recommended payment to the legislature for approval only if it exceeds \$20,000, and (3) prohibits claimants from requesting legislative review unless (a) the claim exceeds \$20,000 and (b) the commissioner dismisses it or orders a payment of \$20,000 or less.

Additionally, the bill makes a similar change regarding claims for damages because of any official act or omission by the public health or developmental services commissioners, their staffs, or certain other

officials. Under current law, such claims can be brought as civil actions against the commissioners in their official capacities if the damages exceed \$7,500. Claims of \$7,500 or less must be presented to the claims commissioner. The bill increases both thresholds to \$20,000, thus requiring that damages exceed \$20,000 in order to be brought as a civil action.

### **COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 13 Nay 0 (03/04/2013)